

IN THE SUPREME COURT OF THE STATE OF DELAWARE

KENNETH ADAMS,	§	No. 388, 2005
	§	
Defendant Below,	§	Court Below: Superior Court of
Appellant,	§	the State of Delaware in and for
	§	New Castle County
v.	§	
	§	
STATE OF DELAWARE,	§	
	§	
Plaintiff Below,	§	Cr. ID Nos. 9412005123
Appellee.	§	9412006225
	§	

ORDER

This 31st day of January 2006, it appears to the Court that:

(1) The appellant's opening brief and appendix were due to be filed on or before October 17, 2005. The appellant, Kenneth Adams, did not file the opening brief and appendix.

(2) On November 1, 2005, the Clerk of the Court issued a notice directing that Adams show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for Adams' failure to diligently prosecute the appeal. Adams did not respond to the notice to show cause. Thus, the dismissal of Adams' appeal is deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rules 3(b)(2) and 29(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ Carolyn Berger
Justice